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LETTER DATED 1 NOVEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF BURUNDI TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith a communication from the Government of Burundi formally proposing that the Security Council set up an international criminal tribunal to punish the crimes of genocide perpetrated in Burundi.

In this connection, the Government of Burundi also requests, through you, direct proof and circumstantial evidence from the International Commission of Inquiry concerning the assassination of President Melchior Ndadaye, which was "planned beforehand", and concerning the "acts of genocide against the Tutsi minority", as well as material and financial assistance from the United Nations to strengthen the capacity of the Ministry of Justice, which will play a fundamental role in the planned judicial process.

I should be grateful if you would have the text of this letter and of the annex thereto circulated as an official document of the Security Council.

(Signed) Nsanze TERENCE
Ambassador
Permanent Representative

Annex

Letter dated 23 October 1996 from the Minister for Foreign Affairs and Cooperation of Burundi addressed to the Secretary-General

I have the honour, in connection with the report of the United Nations Commission of Inquiry for Burundi (S/1996/682) submitted by the members of the Commission on 23 July 1996 and made public on 25 July 1996, to express both to you and to the Security Council of the United Nations the gratitude of the Government of Burundi for your contribution to the fulfilment of the extremely important task of ensuring the success of the process of promoting peace and reconciliation undertaken by the new Government.

In connection with the practical arrangements for the implementation of the recommendations set out in the report, and with a view to taking judicial action in follow-up to the conclusions set out in the report, I should like by means of this letter to request your valuable assistance as follows:

Firstly, the Government of the Republic of Burundi wishes to request you to transmit to it all direct proof and circumstantial evidence available to the International Commission of Inquiry, in order to supplement national inquiries and thus shed as much light as possible on the assassination of President Ndadaye, which was "planned beforehand" (para. 213 of the report), and on the "acts of genocide against the Tutsi minority" that followed the assassination (para. 483 of the report);

Secondly, the Government of the Republic of Burundi wishes, through you, to bring the matter before the Security Council of the United Nations and to urge that an international criminal tribunal for Burundi be established to punish crimes of genocide perpetrated prior to and during 1993 and thereafter that have been characterized and recognized as such;

Thirdly, the Burundi Government believes that the judiciary of Burundi will play a fundamental role in the process of identifying the perpetrators and co-perpetrators of and those behind the acts of genocide and other crimes in question. It therefore wishes to take this opportunity to request the United Nations to provide material and financial assistance to strengthen the capacity of the Ministry of Justice.

(Signed) Luc RUKINGAMA
Minister for Foreign Affairs
and Cooperation